IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1654 OF 2006
IN
SUIT NO.3835 OF 1996

Ramesh Shetty ....Plaintiff
V/s.
Suleman Valimohammed & Anr. ....Defendants

Mr.Pratik Pawar i/b M/s.Shaunak Satpute & Co. for the Plaintiff.
Mr.M.A. Dharmaraj for the Defendants in support.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH NOVEMBER, 2006.

P.C. :

1. The ex-parte decree has already been set aside in Notice of Motion No.1538 of 2005. This Notice of Motion also seeks setting aside of the said decree on the ground of fraud. The Defendants ought to take all the points in the same Notice of Motion. But Notices of Motion for each ground for the same relief are not maintainable. If fraud was detected later, the Defendants can always take the point in the same Notice of Motion. The Notice of Motion is dismissed without expressing any opinion on merits.